

**File Number:** H.F. 347

**Date:** March 13, 2017

**Version:** First engrossment

**Authors:** Koznick and others

**Subject:** Manufactured homes; title and ownership

**Analyst:** Larie Ann Pampuch

This publication can be made available in alternative formats upon request. Please call 651-296-6753 (voice); or the Minnesota State Relay Service at 1-800-627-3529 (TTY) for assistance. Summaries are also available on our website at: [www.house.mn/hrd/](http://www.house.mn/hrd/).

## Overview

This bill makes changes to the process by which a manufactured home is determined to be an improvement to real property, because it is affixed to the real estate, or a motor vehicle, and is not affixed to real estate. This bill also creates a system for resolving situations where the ownership of a manufactured home is at issue.

### Section

#### **1 168A.141 Manufactured home affixed to real property.**

**Subd. 1. Certificates surrendered for cancellation.** Provides that all manufactured homes which will be or are affixed to real property can be titled as an improvement to real property upon the: (1) surrender of the manufacturer's certificate of origin or certificate of title to the Minnesota Department of Driver and Vehicle Services (DVS); and (2) filing of an affidavit of affixation with the county recorder or registrar of titles. Provides requirements for how DVS must maintain records of surrenders, issue notices of surrender, and what information must be contained in the affidavit of affixation.

**Subd. 1a. Affidavit form.** Provides the form for the Manufactured Home Affidavit of Affixation.

**Subd. 2. Perfected security interest prevents surrender.** Clarifies that DVS cannot accept the surrender of a manufacturer's certificate of origin or a certificate of title if there is a perfected security interest in the manufactured home.

**Section**

**Subd. 3. Notice of security interest.** Makes clarifying changes.

**2        168A.142 Manufactured home unaffixed from realty.**

**Subd. 1. Certificate of title requirements.** Makes changes to the process by which DVS issues or reissues a certificate of title for a manufactured home.

**Subd. 2. Evidence of eligibility for reissuance.** Makes clarifying changes.

**Subd. 3. Affidavit form.** Provides the form for the Manufactured Home Affidavit of Severance.

**3        [168A.143] Manufactured homes; ownership at issue.**

**Subd. 1. Requirements for certificate issuance or reissuance.** Provides that if there is an issue establishing ownership of a manufactured home due to the inability of an applicant to locate past owners or applicable records, an applicant can submit certain documents and information to DVS in order to have a certificate of title reissued.

**Subd. 2. Satisfaction of manufactured home security lien; release.** Provides that a perfected security interest in a manufactured home can be canceled after seven years if the owner has paid the lien in full, or the lien has been abandoned and the owner cannot locate the lienholder.

**Subd. 3. Suspension or revocation of certificate.** Provides that DVS may revoke a certificate of title issued under this section if the title was fraudulently or erroneously issued, and DVS is not liable for errors.